

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

JAMIE EDELKIND

)
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)
)
) **CRIMINAL NO.**
) **04 – 10066 MEL**
)
)

**RESPONSE OF COUNSEL OF RECORD FOR DEFENDANT JAMIE
EDELKIND TO HIS *PRO SE* REQUEST FOR RECUSAL**

The undersigned counsel was appointed under the Criminal Justice Act as attorney for the defendant Jamie Edelkind (“Edelkind”). Edelkind’s *pro se* motion for recusal was submitted without consultation with or prior knowledge of his appointed counsel.

This case is currently on appeal before the First Circuit Court of Appeals. Besides the *pro se* motion, there is nothing currently before the district court that requires any judicial action and there may never be. Appointed counsel, with the express approval of Edelkind, requests that Edelkind be permitted to withdraw his motion for recusal without prejudice to renewing it should there be an occasion in the future requiring judicial action in the district court.

JAMIE EDELKIND

By his attorney,

s/ Michael J. Liston

Michael J. Liston BBO# 301760
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Dated: March 9, 2006

CERTIFICATE OF SERVICE

I, Michael J. Liston, do hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants identified on the Notice of Electronic Filing (NEF) and that paper copies will be sent to those indicated as non registered participants on this date, March 9, 2006.

s/ Michael J. Liston

Michael J. Liston